

CITY OF SPRINGDALE, ARKANSAS REZONING PROCEDURE

Before completing an application to rezone property, petitioners are encouraged to meet with a member of the planning staff to discuss the application. Often, the staff can provide the petitioner with some useful information concerning the subject tract as to any rezoning or development history that may exist. The staff can also help the petitioner assess the reasonableness of the request and assist those who have not been involved with the rezoning process previously.

The deadline for submission of a petition for rezoning is 12:00 noon twenty days before the Planning Commission meeting ([check the meeting schedule for dates](#)). The Planning Commission meets the first Tuesday of each month at 5:00 p.m. in the Council Chambers of the City Administration Building, 201 North Spring Street, unless otherwise advertised.

OWNER'S RESPONSIBILITY

It is the responsibility of the owner to insure that all necessary procedures are followed in a satisfactory and timely manner and to verify the accuracy and completeness of all necessary information. If significant omissions and/or errors are discovered during the review process, the application may be rejected or tabled until sufficient information is supplied.

FEE

A fee of \$175.00 (payable to the City of Springdale) and submitted to the City Clerk, is required to cover the costs of public notices and related expenses. If costs exceed \$175.00 the applicant will be billed the additional amount.

FILING DEADLINE

An application must be filed at the Planning Office, City Administration Building, Room 214, by the deadlines established and approved by the Planning Commission. Meetings of the Commission are held the first Tuesday of each month.

APPLICATION REQUIREMENTS

The following information must be submitted to the Planning Office on the form attached:

1. The name of the record title holder of the property provided by a copy of the recorded Warranty Deed and the intended grantees if the property is subject to contract sale or title is to be otherwise conveyed.
2. Zoning classification requested for property.

3. A brief statement explaining the reason for the rezoning request, the intended use of the property, and the effect of property changes upon surrounding land uses.
4. A layman's description of the property (physical address if possible).
5. If the property to be rezoned is to be only a portion of the land described on the Warranty Deed then an accurate legal description provided by a copy of a recent survey certified by a registered land surveyor will be required.
6. A scaled drawing of the property to be rezoned showing accurate lot lines, surrounding zoning, adjacent owners and a north arrow.
7. The applicant shall be responsible for providing the name and address of all adjacent property owners. This must be a certified list by a licensed abstractor or licensed land surveyor within the past sixty (60) days. The notice to all adjacent property owners must be sent by certified mail, return receipt requested at least ten (10) days prior to the Planning Commission meeting. Evidence in the form of a signed Affidavit, that notice has been given to all adjacent property owners by certified mail, return receipt requested, will be submitted. Notification should be sent after the Planning Department has accepted the application and the date of the public hearing has been confirmed.
8. The required Affidavit and supporting exhibits (mailing receipts, list of property owners of record and copy of notice) shall be filed with the Planning Office no later than seven (7) days prior to the meeting date.
9. The applicant should be present at the meeting in order to answer questions the Commission members or interested parties may have. If the applicant is unable to attend, written authorization from the applicant authorizing representation must be presented to the Commission for the matter to be considered. Any decisions made by the designated agent shall be binding on the landowner.

PLEASE NOTE:

Noncompliance with the above may cause your application to be withheld and not considered at the meeting and may require the payment of an additional filing fee and/or re-notification of property owners.

Staff advice as to the zoning district or type of application to be utilized does not constitute a recommendation of approval of the application. Staff recommendations are based on field inspections, plans for the area, reports of other departments and other information.

APPLICATION PROCESSING PROCEDURE

Upon receipt of the application in the Planning Office the Director of Planning will carry out the following activities:

1. Publish a notice in the newspaper at least one time, fifteen (15) days prior to the hearing. The notice sets forth the time and place of such hearing and proposed amendment.

2. Post one or more signs on the property subject to rezoning hearing, at least ten (10) days before the hearing to contain the words: REZONING HEARING ON THIS PROPERTY and indicating the date of the hearing.
3. The Planning Commission will then hold a Public Hearing on the proposed amendment on the specified date and time. The owner or designated representative must be present at the public hearing for the matter to be considered.
4. If recommendation for approval is granted by the Planning Commission, the matter will be referred to the City Council for the approval. The City Council meets the second and fourth Tuesday of the month.
5. If the Planning Commission denies the rezoning request the Applicant may appeal that decision to the City Council provided that the Applicant states specifically in writing to the City Clerk why the Applicant considers the Planning Commission's findings and decisions to be in error. Such appeal shall be filed with the City Clerk within fifteen (15) days from the date of the Planning Commission action along with an affidavit concerning notification to adjacent property owners of the appeal. The City Council may approve the proposed amendment only by majority vote of all the members.
6. If an Applicant would like to withdraw a request the Applicant may do so at the public hearing or in writing prior to the meeting. Withdrawal by an applicant will require the re-filing of the application complete with an additional filing fee and proper re-notifications before the matter will be placed on the agenda.
7. An application may be tabled to a later meeting only by action of the Planning Commission and only after the Commission had heard comments from adjacent property owners and interested parties. Tabling of an application by the Planning Commission will not require an additional filing fee or re-notification.